



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gagnon et al.

Application No. 10/001,268

Filed: November 13, 2001

For: AUTOMATED MICROSCOPIC IMAGE
ACQUISITION, COMPOSITING, AND
DISPLAY

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DECLARATION OF MARIBETH GAGNON

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I am a named inventor of the above patent application.

In September 1999, The American Society of Clinical Pathologists and The College of American Pathologists jointly-sponsored a conference ("Conference") in New Orleans, Louisiana. There were approximately 3,000 attendees.

James V. Lange and I attended the Conference and were jointly responsible for exhibiting CytoView II software ("Software") at a booth during the Conference. Our purpose was to demonstrate that technology such as the Software could be used to assist in certifying cyto-technicians instead of using physical slides.

During the Conference, the Software ran on a number of computers at which Conference attendees could review images depicting microscopic views of Pap test specimens demonstrating different diagnostic categories at 10x and 40x magnification. The images were constructed prior to the Conference via a program called "MicroScreen" by combining multiple images into a composite image.

A number of Conference attendees reviewed the images using the Software and were asked for their feedback concerning operation of the Software. Two screen shots typical of those presented by the Software at the Conference are attached as Exhibits A and B.

Signed: MariBeth Gagnon
MariBeth Gagnon

Date: 6/14/02